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EXAMINER				
LIANG, VEI CHUNG				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

Office Action Summary

Application No.

10/573,401

Applicant(s)

CONE ET AL.

Examiner

VEI-CHUNG LIANG

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2006 and 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17, 80, 84 and 85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 80, 84 and 85 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is in response to application completed to the 35 U.S.C. 371 requirements on January 22, 2007, in which claims 1 - 17, 71, 80, 84, and 85 are presented for examination.

Status of Claims

The examiner is examining the attached replacement sheets containing preliminary amendment of claims filed on March 22, 2006. Claims 1 – 17, 71, 80, 84, and 85 are pending, of which Claim 1 is in independent form.

Priority

1. The application is submitted under 35 U.S.C. 371 and is a national stage entry of the PCT application PCT/NZ2004/000228, which is filed on September 22, 2004.
2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) or 365(b). The certified copy of the foreign application with Application No. 528385, filed on September 22, 2003 in New Zealand has been received on March 22, 2006.

Information Disclosure Statement

The references cited in the Search Report from Australian Patent Office completed on December 20, 2004 and have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1). In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO/SB/08A and 08B form, must be filed within the set period for reply to this Office action.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 18 (specification, page 36 and 38). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The abstract of the disclosure is objected to because:

The abstract of the instant application uses the form and legal phraseology of "said" should be avoided. See MPEP § 608.01(b). Moreover, in the Abstract, reference number 24 refers to networks. However, reference number 24 is referred to user sites in Fig. 6 and in the specification (page 41). And reference number 25 refers to data input devices; however, reference number 25 refers to data sources in Fig. 6 and in the specification (page 41). Appropriate correction is required.

5. The incorporation of essential material in the specification by reference to an unpublished U.S. application, foreign application or patent, or to a publication is improper (e.g. reference to NZ 518624, PCT/NZ02/00199 for the claimed essential material of private personal contacts network on page 9 of the specification). Applicant is required to amend the disclosure to include the material incorporated by reference, if the material is relied upon to overcome any objection, rejection, or other requirement imposed by the Office. The amendment must be accompanied by a statement executed by the applicant, or a practitioner representing the applicant, stating that the material being inserted is the material previously incorporated by reference and that the amendment contains no new matter. 37 CFR 1.57(f).

Claim Objections

6. Claims 2 – 17, 80 and 84 are objected to because of the following informalities:

As per Claim 2 – 17, Claims 2 – 17 recite the limitation of “A search engine system as claimed in Claim 1” in line 1 which should be recited as “The search engine system as claimed in Claim 1”

As per Claim 80 and 84, Claim 80 recites the limitation of “the or each chosen entity” in lines 15 and 19 and claim 84 recites the limitation of “the or each user contact” in lines 10 and 13, which are not in idiomatic English.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 3 – 12, 80, and 84 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per Claim 3, Claim 3 recites the limitation "the degree of separation" in line 2. There is insufficient antecedent basis for this limitation in the claim.

The dependent claims, claims 4 - 12, included in the statement of reject but not specifically addressed in the body of the rejection have inherited the deficiencies of their parent claim and have not resolved the deficiencies. Therefore, they are rejected based on the same rationale as applied to their parent claim above.

As per Claim 80, Claim 80 recites the limitation "each of one or more users" in line 10, "the said user" in line 10, "the user" in line 11, "said user" in line 12, "the user" in line 13, "notifying the or each chosen entity of their recordal" in line 15, "the or each said chosen entity" in lines 18 – 19, "the above steps" in line 20, "the entity data records" in line 22, and "the internet" in line 23. There are insufficient antecedent bases for these limitations in the claim.

As per Claim 84, Claim 84 recites the limitation of "the said user" in line 5, "the user" and "said user" in line 6, "the user" in line 7, "the or each user contact of their recordal" in line 10, "the or each user contact" in lines 13 -14, and "the above steps of successive notification" in line 15. There are insufficient antecedent bases for these limitations in the claim.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 1 – 17 and 71 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per Claim 1, Claim 1 is directed to a search engine system capable of displaying indicative information, which with the broadest reasonable interpretation in light of the specification is a piece of software (specification, page 39, e.g. the features of the search engine and in particular the suggestions may be combined into a minimized toolbar which forms part of a stay-resident program running in conjunction with the user's web-browser). Therefore, the claimed subject matters lack of the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. The software recited in the claim is clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, the recited limitations fail to fall within a statutory category.

The dependent claims, claims 2 – 17, and 71, included in the statement of reject but not specifically addressed in the body of the rejection have inherited the deficiencies of their parent claim and have not resolved the deficiencies. Therefore, they are rejected based on the same rationale as applied to their parent claim above.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

12. Claims 1 – 16, 80, 84, and 85 are rejected under 35 U.S.C. 102(a) as being anticipated by British Telecommunications, EP 1 288 795 A1 (hereinafter referred as British Telecomm).

As per Claim 1, British Telecomm teaches:

A search engine system (British Telecomm, paragraph 0018, lines 1 - 2, a system called Affinity Based Queries (ABQ) to improve the relevance of search results) According to the specification of the present invention, the term search engine is not necessarily restricted to internet search engines and may also include any other electronic data search system for interrogate databases and or networks (specification, pages 5 -6). A system improve the relevance of search results is interpreting as a search engine because the system interrogates databases (British Telecomm, paragraph 0019, lines 4 – 6, e.g. the search indicator is looking for book [and] he or she is searching one or more databases, typically held on the internet, which contain not books themselves but information about books).

capable of displaying indicative information (British Telecomm, paragraph 0143, lines 4 – 7, e.g. the format of the result list will hold information on referee, result,

relation, and rating. . . . these are then pushed through an encoding and presentation process and presented back to the search initiator).

including search suggestions to a user derived from searches performed by one or more entities connected directly or indirectly with the user (British Telecomm, paragraph 0021, lines 1 – 4, e.g. when an ABQ is run, it returns a result list which consists of a number of result items. Each result item has some association with the "referee" who is somebody within the search initiator's PSN who is either directly associated with the result item, or who is indirectly associated with item through being related to someone else within the search initiator's PSN),

wherein said search suggestions include recent searches and/or popular searches performed by said entities (British Telecomm, paragraph 0081, lines 1 - 3, e.g. the system will include feedback as this week the most popular referee was XXX). The Examiner is interpreting including feedback as this week most popular referee as recent and popular suggestion performed by said entities.

As per Claim 2, and also applied to Claim 1, British Telecomm teaches:

A search engine system as claimed in claim 1, wherein said entities are denoted as `user contacts` (British Telecomm, paragraph 0040, lines 2 – 4, e.g. typical PSNs might include individuals and their work contacts, groups of friends, groups of individuals with common interests or individuals conveniently grouped together for another reason). According to the specification of the present application, contacts may

includes contacts with friends and colleagues; therefore, individual in PSN teaches user contacts.

As per Claim 3, best understood by the Examiner, and also applied to Claim 2, British Telecomm teaches:

A search engine system as claimed in claim 2, wherein, each user contact includes a connection factor indicative of the degree of separation between the user contact and the user (British Telecomm, paragraph 0100, line 2, e.g. a selected buddy is inserted to the PERSON_TO_BUDDY table). That is, the buddy inserted as a row in the PERSON_TO_BUDDY table indicates the degree of separation between the buddy and the person (1 degree).

As per Claim 4, best understood by the Examiner, and also applied to Claim 3, British Telecomm teaches:

A search engine system as claimed in claim 3, wherein at least one user is provided with an interface between said search engine system and with a private personal contacts network of user contacts unique to said user (British Telecomm, paragraph 0036, lines 2 – 3, e.g. a search initiator is provided with means (such as data entry field or a series of tick boxes) to restrict the search to a PSN of a user-selectable order).

As per Claim 5, best understood by the Examiner, and also applied to Claim 3, British Telecomm teaches:

A search engine system as claimed in claim 3, including a private personal contacts network of user contacts accessible by at least one user (British Telecomm, paragraph 0036, lines 2 – 3, e.g. a search initiator is provided with means (such as data entry field or a series of tick boxes) to restrict the search to a PSN of a user-selectable order).

As per Claim 6, best understood by the Examiner, and also applied to Claim 5, British Telecomm teaches:

A search engine system as claimed in claim 5, wherein each said private personal contacts network is unique to an individual user. (British Telecomm, paragraph 0036, lines 2 – 3, e.g. a search initiator is provided with means (such as data entry field or a series of tick boxes) to restrict the search to a PSN of a user-selectable order).

As per Claim 7, best understood by the Examiner, and also applied to Claim 4, British Telecomm teaches:

A search engine system as claimed in claim 4, wherein said private personal contacts network provides interrelationship context information between said entities (British Telecomm, paragraph 0052, lines 1 – 5, e.g. PERSON_TO_BUDDY table includes FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy).

As per Claim 8, best understood by the Examiner, and also applied to Claim 5, British Telecomm teaches:

A search engine system as claimed in claim 5, wherein said private personal contacts network provides interrelationship context information between a user contact and the user. (British Telecomm, paragraph 0052, lines 1 – 5, e.g. PERSON_TO_BUDDY table includes FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy).

As per Claim 9, best understood by the Examiner, and also applied to Claim 8, British Telecomm teaches:

A search engine system as claimed in claim 8, wherein said interrelationship context information includes said connection factor (British Telecomm, paragraph 0100, line 2, e.g. a selected buddy is inserted to the PERSON_TO_BUDDY table). That is, the buddy inserted as a row in the PERSON_TO_BUDDY table indicates the degree of separation between the buddy and the person (1 degree).

As per Claim 10, best understood by the Examiner, and also applied to Claim 7, British Telecomm teaches:

A search engine system as claimed in claim 7, wherein said interrelationship context information includes one or more entity attributes. (British Telecomm, paragraph 0052, lines 1 – 5, e.g. PERSON_TO_BUDDY table

includes FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy).

As per Claim 11, best understood by the Examiner, and also applied to Claim 10, British Telecomm teaches:

A search engine system as claimed in claim 10, wherein said system entity attributes include at least one identifying characteristic (British Telecomm, paragraph 0052, lines 1 – 5, e.g. PERSON_TO_BUDDY table includes FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy).

As per Claim 12, best understood by the Examiner, and also applied to Claim 10, British Telecomm teaches:

A search engine system as claimed in claim 10, wherein said system entity attributes includes information regarding personal details, interests; friends; relations; school alumni; employment factors; business colleagues; professional acquaintances; sexual preferences, persuasions, or proclivities; sporting interests; entertainment, artistic, creative or leisure interests; travel interests, commercial, religious, political, theological or ideological belief or opinions; academic, scientific, or engineering disciplines; humanitarian, social, security/military or economic fields and any combination of same (British Telecomm, paragraph 0052, lines 1 – 5, e.g. PERSON_TO_BUDDY table includes

FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy). That is, the FRIEND_SINCE attributes is regarding friend relations.

As per Claim 13, and also applied to Claim 1, British Telecomm teaches:

A search engine system as claimed in claim 1, wherein said searches include any interrogation of a database via a network, including a search of web-sites via the internet (British Telecomm, paragraph 0018, lines 4 – 5, e.g. the search initiator first does a standard keyword search e.g. to search for a particular book (a bookshop website))

As per Claim 14, and also applied to Claim 1, British Telecomm teaches:

14. A search engine system as claimed in claim 1, wherein each search includes user-inputted keywords (British Telecomm, paragraph 0018, lines 4 – 5, e.g. the search initiator first does a standard keyword search e.g. to search for a particular book (a bookshop website)) **and an output listing of search results** (British Telecomm, paragraph 0018, lines 6 - 7, e.g. the search returns a list of results or "hits").

As per Claim 15, and also applied to Claim 14, British Telecomm teaches:

A search engine system as claimed in claim 14, wherein said recent searches denote recent keywords or search results associated with the keywords

used by the user contacts (British Telecomm, paragraph 0065, lines 3 – 4, e.g. extracts a number of keyword matches from the action tables) **and said popular searches denote a ranking of the most popular keywords or search results associated with the keywords used by the user contacts** (British Telecomm, paragraph 0081, lines 1 - 3, e.g. the system will include feedback as this week the most popular referee was XXX). The Examiner is interpreting including feedback as this week most popular referee as recent and popular suggestion performed by said entities.

As per Claim 16, and also applied to Claim 1, British Telecomm teaches:

A search engine system as claimed in claim 1, wherein said indicative information includes search results weighting (British Telecomm, paragraph 0042, lines 1 – 2, e.g. if affinity ordering is to be carried out on the result items, the link or edges in the digraph need to be weighted (e.g. family members have higher weighting than friends). That is the weighting on the relationship and search results can be ordered by such weighted relationship as to be weighted search results (British Telecomm, paragraph 0075, e.g. results can be ordered by relation).

As per Claim 17, and also applied to Claim 14, British Telecomm teaches:

A search engine system as claimed in claim 14, wherein said suggestions include at least one of; recent web-sites denoting recent web sites accessed by the user contacts either directly, or via recent searches; popular web-sites denoting a ranking of web sites most regularly visited by, and/or recommended

by the user contacts; high-flying searches denoting a list of keywords or search results associated with the keywords ranked according to their rate of increase in the popular searches ranking; high-flying web-sites denoting a list of web-sites ranked according to their rate of increase in the popular web-sites ranking; popular or recently accessed paid web listings (British Telecomm, paragraph 0075, lines 1 – 3, e.g. results can be ordered by rating, relation or result action. Rating ordering however, looks at the filtered result items and ordered them according to the highest ratings applied by referees).

As per Claim 80, best understood by the Examiner, and also applied to Claim 1, British Telecomm teaches:

A search engine system as claimed in claim 1 (British Telecomm, paragraph 0018, lines 1 - 2, a system called Affinity Based Queries (ABQ) to improve the relevance of search results)

capable of displaying indicative information to a user from searches performed by entities (or `user contacts`) connected directly or indirectly with the user (British Telecomm, paragraph 0143, lines 4 – 7, e.g. the format of the result list will hold information on referee, result, relation, and rating. . . . these are then pushed through an encoding and presentation process and presented back to the search initiator), **wherein said system includes;**

at least one host computer processor connectable to one or more network(s) (British Telecom, paragraph 0062, line 2, e.g. a server script to process the input) That is, a server is hooked up with a network to receive input from a client.

a database accessible over said network(s) (British Telecom, paragraph 0064, line 3, e.g. a server-based apparatus (database) to store information on persons, relations, and actions). That is, a database is a server on the network.

a plurality of data input devices connectable to said network(s) (British Telecom, paragraph 0063, line 2, e.g. information from client-side cookies can extrapolate the search initiator's ROOT_ID and prepare the QUERY_STRING for the server CGI script). That is, the client is connected to the server via network.

a search engine accessible over said network(s) (British Telecom, paragraph 0019, lines 1 – 5, e.g. the Affinity Based Queries can be used for all types of information retrieval . . . databases typically held on the internet).

wherein said system is capable of forming said private personal contacts network for each of one or more users by receiving input from the said user (British Telecom, paragraph 0036, lines 2 – 3, e.g. the search initiator is provided with means such as a data entry field or a series of tick boxes to restrict the search to a PSN of a user selectable order. Typically the user may wish to restrict the search to a first, second or third order PSN).

including at least one identifying characteristic of the user and of one or more chosen entities known to said user (British Telecom, paragraph 0052, lines 1

– 5, e.g. PERSON_TO_BUDDY table includes FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy).

recording said identifying characteristic of each entity including the user to form one or more corresponding entity data records in said database, (British Telecomm, paragraph 0052, lines 1 – 5, e.g. PERSON_TO_BUDDY table includes FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy).

notifying the or each chosen entity of their recordal on said system and requesting input of at least one identifying characteristic of one or more further entities known to the or each said chosen entity (British Telecomm, paragraph 0132, e.g. the next calculation is the number of actions received by A from all buddies)

recording the identifying characteristic of each further entity inputted by the or each said chosen entity to form further corresponding entity data records, (British Telecomm, paragraph 0136, completing equation 4.5 for all buddies will produce a normalized array).

repeating the above steps of successive notification of further entities and recordal of the identifying characteristic of each further entity chosen as further entity data records (British Telecomm, paragraph 0136, completing equation 4.5 for all buddies will produce a normalized array).

providing searchable access to at least part of the entity data records stored in said database (British Telecomm, paragraph 0043, lines 1 – 3, a DBMS (10) stored on an ABQ server 12 is used to generate an in-memory view (14) of the PSN.

The in-memory view is used to generate an affinity filter (20) which filters the raw keyword matches 16, 18 to provide a list of return items 22) **and to the internet** (British Telecomm, paragraph 0019, lines 4 – 6, e.g. the search initiator is looking information whether held with in a database or otherwise, typically held on the internet).

As per Claim 84, best understood by the Examiner, and also applied to Claim 1, British Telecomm teaches:

A method of creating a private personal contacts network (British Telecomm, paragraph 0036, lines 2 – 3, e.g. a search initiator is provided with means (such as data entry field or a series of tick boxes) to restrict the search to a PSN of a user-selectable order) **for interaction with a search engine system as claimed in claim 1, said method including the steps performed by a processor of a data processing and storage system** British Telecomm, paragraph 00 64, line 3, e.g. a server-based apparatus (database) to store information on persons, relations, and actions). That is, a database is a server on the network, of:

receiving input from the said user including at least one identifying characteristic of the user and at least one chosen entity known to said user and hereinafter referred to as a user contact; (British Telecomm, paragraph 0052, lines 1 – 5, e.g. PERSON_TO_BUDDY table includes FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy). That is, the FRIEND_SINCE attributes is regarding friend relations.

recording said identifying characteristic of each user contact including the user to form at least one corresponding user contact data record in said database; (British Telecomm, paragraph 0052, lines 1 – 5, e.g. PERSON_TO_BUDDY table includes FRIEND_SINCE attributes and NUM_MSGS attributes for describing interrelationship between person and buddy). That is, the FRIEND_SINCE attributes is regarding friend relations.

notifying the or each user contact of their recordal on said system and requesting input of at least one identifying characteristic of at least one further entity known to the user contact; (British Telecomm, paragraph 0132, e.g. the next calculation is the number of actions received by A from all buddies)

recording the identifying characteristic of each further entity inputted by the or each user contact to form further corresponding user contact data records; (British Telecomm, paragraph 0136, completing equation 4.5 for all buddies will produce a normalized array).

repeating the above steps of successive notification of further entities and recordal of the identifying characteristic of each further entity chosen as further user contact data records; (British Telecomm, paragraph 0136, completing equation 4.5 for all buddies will produce a normalized array).

providing searchable access to at least part of the user contact data records stored in said database (British Telecomm, paragraph 0043, lines 1 – 3, a DBMS (10) stored on an ABQ server 12 is used to generate an in-memory view (14) of

the PSN. The in-memory view is used to generate an affinity filter (20) which filters the raw keyword matches 16, 18 to provide a list of return items 22).

As per Claim 85, and also applied to Claim 1, British Telecomm teaches:

A method comprising displaying to a user indicative information (British Telecomm, paragraph 0143, lines 4 – 7, e.g. the format of the result list will hold information on referee, result, relation, and rating. . . . these are then pushed through an encoding and presentation process and presented back to the search initiator)

including search suggestions derived from searches performed by one or more entities using the search engine claimed in claim 1, said entities being connected directly or indirectly with the user, (British Telecomm, paragraph 0021, lines 1 – 4, e.g. when an ABQ is run, it returns a result list which consists of a number of result items. Each result item has some association with the “referee” who is somebody within the search initiator’s PSN who is either directly associated with the result item, or who is indirectly associated with item through being related to someone else within the search initiator’s PSN).

wherein said search suggestions include recent searches and/or popular searches performed by said entities (British Telecomm, paragraph 0081, lines 1 - 3, e.g. the system will include feedback as this week the most popular referee was XXX). The Examiner is interpreting including feedback as this week most popular referee as recent and popular suggestion performed by said entities.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claim 71 is rejected under 35 U.S.C. 103(a) as being unpatentable over British Telecommunications, EP 1 288 795 A1 (hereinafter referred as British Telecomm) in view of Paine et al. US PGPub 2003/0055816 A1 (hereinafter referred as Paine).

As per Claim 71, and also applied to Claim 1, British Telecomm does not explicitly teach the limitation of: A method of brokering services utilising a search engine system as claimed in claim 1, said services being provided by a partner web-site or broker acting as an intermediary between advertisers and partner web-sites and/or websites featuring the search engine system and including the provision of suggestions relevant to the advertiser product(s), service(s), web-site(s), or company(ies) on said partner web-site, and/or the search engine.

On the other hand, Paine teaches:

A method of brokering services (Paine, paragraph 0039, line 7, e.g. an account management server 22) **utilising a search engine system as claimed in claim 1** (Paine, paragraph 0104, e.g. once the collaborative filter has computed the correlation between the new advertiser and the existing advertisers, it predict how likely it is that each term is a good search term for the new advertiser),

said services being provided by a partner web-site or broker acting as an intermediary between advertisers and partner web-sites and/or websites featuring the search engine system (Paine, paragraph 0038, lines 1 – 11, e.g. a search engine web server 24 may be connected to the account management server 22)

and including the provision of suggestions relevant to the advertiser product(s), service(s), web-site(s), or company(ies) on said partner web-site, and/or the search engine (Paine, paragraph 0042, lines 13 -14 , e.g. the non-paid listing follow the paid advertiser listings on the search result page)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify British Telecomm's invention to utilize the collaborative filtering in a broker service between advertisers and a search engine in view of Paine because doing so would provide advantages such as a means for effectively making recommendation based on user similarity (Paine, paragraph 0099, lines 1 – 2).

Conclusion

15. The prior art made of record:
 - a. British Telecommunications, EP 1 288 795 A1
 - b. Paine et al. US PGPub 2003/0055816 A1.
16. The prior art made of record on form PTO-892 and not relied upon is consider pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VEI-CHUNG LIANG whose telephone number is (571)270-1984. The examiner can normally be reached on Mon.- Fri., 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Neveen Abel-Jalil can be reached on (571)272-4074. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 13, 2010
/Vei-Chung Liang/
Vei-Chung Liang, Ph.D.
Examiner, Art Unit 2165